

ASHBY & GEDDES

ATTORNEYS AND COUNSELLORS AT LAW

500 DELAWARE AVENUE

P. O. BOX 1150

WILMINGTON, DELAWARE 19899

TELEPHONE
302-654-1888

FACSIMILE
302-654-2067

February 4, 2008

The Honorable Gregory M. Sleet
United States District Court
844 N. King Street
Wilmington, DE 19801

Re: *Aventis Pharmaceuticals Inc., et al. v. Barr Laboratories, Inc.,*
C. A. No. 06-286-GMS

Dear Chief Judge Sleet:

In anticipation of the discovery teleconference scheduled for February 6, 2008 at 2:00 p.m. EDT in the above-captioned matter, the parties jointly submit the following issues to be presented to the Court:

1. Whether information under the Protective Order can be shown to Aventis expert Don Beers.
2. Whether, at the time an expert's report is served, Federal Rule of Civil Procedure 26(a)(2) requires production of the expert's lab notebooks associated with experiments he conducted in forming his expert opinions.
3. The scope of Paragraphs 1 and Paragraphs 2 of the Parties' Stipulation regarding expert discovery (D.I. 47), as applied to lab notebooks and draft viscosity testing protocols.
4. Whether Aventis was prejudiced by a delay in receiving an expert's lab notebooks associated with experiments he conducted in forming his expert opinions such that it should receive 24 days to file a supplemental expert report.

Respectfully,

/s/ John G. Day

John G. Day

JGD: nml
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c: Josy W. Ingersoll, Esquire (by hand and via electronic mail)
George C. Lombardi, Esquire (via electronic mail)
Robert C. Millonig, Esquire (via electronic mail)
Paul H. Berghoff, Esquire (via electronic mail)